

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

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DAVID ASLANI,

Plaintiff,

v.

SPARROW HEALTH SYSTEMS,  
KEN HAMKAMD, security officer,  
DENNIS SWAN, administrator in charge,  
RICHARD LIEBELT, registered nurse,  
RACHEL LATUNSKI, registered nurse,  
KARL ENGLER, registered nurse,  
DR. JAMES CAGLE, physician,  
DR. STEVEN OWENS, physician,  
each individually and as an employee of Sparrow Health,

GREYHOUND BUS LINES, INC.,  
ED LEWIS, individually and as  
bus driver of Greyhound Bus Lines, Inc.,

CAPITAL AREA TRANSPORTATION AUTHORITY,  
MATTHEW FOWLER, security officer,  
JOSEPH M. BECKER, security officer,  
each individually and as an employee of CATA,

CITY OF LANSING,

Defendants.

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**ORDER**

**Directing the Defendants to Respond to the Plaintiff's Two Motions for Reconsideration**

By opinion and order issued March 12, 2009 [document # 75], this court dismissed the Lansing Police Department because it is not a juridical entity capable of being sued *in eo nomine*,

substituting the City of Lansing in its place, and dismissed the individual Lansing police officers, because the official-capacity claims against them are claims against the City.

As to the City of Lansing (police) only, the court dismissed Counts 1, 7 & 8 (Federal Claims) and Count 5 (IIED) as untimely.

As to all defendants, the court dismissed five claims pursuant to FED. R. Civ. P. 12(b)(6): Counts 2, 3 and 4 (False Arrest, False Imprisonment, A&B) were untimely, while Count 6 (Malicious Prosecution) lacked merit, and Count 9 (International Law) was not cognizable and actionable as a matter of law.

As to defendant Sparrow Health Systems, the court denied its motion for summary judgment pursuant to FED. R. CIV. P. 56(f), without prejudice to its right to re-file after the completion of thorough discovery.

As to defendant Greyhound Bus Lines, Inc., the court denied without prejudice its motion to dismiss count 1 (42 U.S.C. § 1981) and Count 5 (intentional infliction of emotional distress). and the court would benefit from the defendants' response(s).

By order issued March 16, 2009 [document # 76] , the court denied Aslani's motions for extensions of time in which to file briefs opposing the above motions.

Plaintiff Aslani has filed a motion for reconsideration of the March 12 and March 16, 2009 orders, and the court would benefit from the defendants' response(s).

**No later than Monday, September 14, 2009, defendants SHALL:**

- **FILE an opposition brief or briefs** responding in detail, to each of plaintiff's two reconsideration motions.

This is not a final and immediately appealable order.

**IT IS SO ORDERED** on this 17<sup>th</sup> day of August 2009.

/s/ Paul L. Maloney

Honorable Paul L. Maloney  
Chief United States District Judge